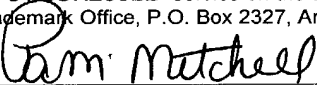


11/30/01
J1044 U.S. PTO

12-03-01

11/30/01
J1040 U.S. PTO
09/998833

| | |
|---|-------------------|
| CERTIFICATE OF EXPRESS MAILING | |
| NUMBER | EL 522 496 735 US |
| DATE OF DEPOSIT | November 30, 2001 |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service on the date indicated above and is addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202. | |
|  | |
| Pam Mitchell | |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: 4001.002299

Prior Serial No.: 09/351,543

Prior Application Examiner: Bansal, G.

Prior Group Art Unit: 1642

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR FILING CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 09/351,543 (the '543 application), filed July 12, 1999, entitled "Cancer Treatment Methods Using Antibodies to Aminophospholipids."

- ☒ 1. Enclosed is a true copy of the prior application Serial No. 09/351,543 as originally filed, including the specification, claims, drawings and declaration. The declaration was properly submitted after filing. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial No. 09/351,543.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

☒ 2. Enclosed is a check in the amount of \$487.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 8 below.

**CLAIMS AS FILED IN THE PRIOR
APPLICATION LESS CLAIMS CANCELED BELOW**

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |
|-----------------------------------|-----------------|-----------------|-----------|------------------|
| Basic Fee ----- | | | | \$ 370.00 |
| Total Claims | 33 - 20 = | 13 | \$ 9.00 = | \$ 117.00 |
| Independent Claims | 2 - 3 = | -0- | \$42.00 = | \$ -0- |
| Multiple Dependent Claim(s) ----- | | | | \$ -0- |
| TOTAL FILING FEES: | | | | \$ 487.00 |

☒ 3. Applicant is entitled to Small Entity Status for this application.

☐ (a) A small entity statement is enclosed.

☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired (copy attached).

- ☐ (c) Small entity status is no longer claimed.
- ☒ 4. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Williams, Morgan and Amerson, P.C. Deposit Account No. 50-0786/4001.002299.
- ☒ 5. Enclosed is a copy of the original Power of Attorney document in the prior application.
- ☒ 6. Address all future communications to:
- Shelley P.M. Fussey
WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-7000
- ☒ 7. The prior application is presently assigned to Board of Regents, The University of Texas System (copy of prior Assignment attached).
- ☒ 8. Enclosed is a Preliminary Amendment (including Exhibits A through E). Any additional fees incurred by this amendment are included in the check at No. 2 above and said fee has been calculated after cancellation of claims and after amendment of claims by the preliminary amendment.
- ☐ 9. Cancel in this application claims ____ of the prior application before calculating the filing fee (at least one original independent claim must be retained).
- ☐ 10. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. _____, filed _____.
- ☒ 11. Enclosed are formal drawings of FIG. 1A through 4B, on a total of 3 sheets.

- ☒ 12. The present paper constitutes Applicants' compliance with their duty of disclosure under 37 C.F.R. §1.56. Please make all prior art of record in parent application Serial No. 09/351,543 of record in this case, including that cited by the Office and Applicants. As a courtesy, the following is enclosed:
- ☒ (a) Copies of PTO-1449s from prior application (listing References A1-A21, B1-B11 and C1-C52.
- ☐ (b) Copies of IDS citations.
- ☒ 13. Transfer the sequence information, including the computer readable form previously submitted in the parent application Serial No. 09/351,543, filed July 12, 1999, for use in this application. 37 C.F.R. § 1.821(e). A paper copy of the sequences and the required statement are enclosed.
- ☐ 14. Other
- ☒ 15. Return Receipt Postcard.

Respectfully submitted,



Shelley P.M. Fussey
Reg. No. 39,458
Agent for Applicants

WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas, 77040
(713) 934-4079

Date: November 30, 2001

CERTIFICATE OF EXPRESS MAILING

NUMBER EL 522 496 735 US

DATE OF DEPOSIT November 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service on the date indicated above and is addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.


Pam Mitchell

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Philip E. Thorpe and Sophia Ran

Serial No.: Unknown

Filed: Concurrently Herewith

For: COMBINED CANCER TREATMENT
METHODS USING ANTIBODIES TO
AMINOPHOSPHOLIPIDS

Group Art Unit: 1642

Examiner: G. Bansal

Atty. Dkt. No.: 4001.002299

STATEMENTS AS REQUIRED UNDER 37 C.F.R. §§ 1.821(e)(f)

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is a paper copy of the sequence listing of those sequences in the captioned patent application. The computer readable form for the sequence listing is the same as the computer-readable form in parent application Serial No. 09/351,543, filed July 12, 1999, which is to be transferred to this case, and is the same as the enclosed paper copy of the sequence listing. The sequence information provided in the Specification is also the same as the sequence listing of the enclosed paper form of the sequence listing, and the computer-readable form being transferred.

Respectfully submitted,



Shelley P.M. Fussey
Reg. No. 39,458

Agent for Applicants

WILLIAMS, MORGAN & AMERSON
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-7000

Date: November 30, 2001

11/30/01 10:00 AM